

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

3:20-CR-269

v.

Magistrate Judge Saporito

THOMAS HARTLEY,

Defendant

**ORDER**

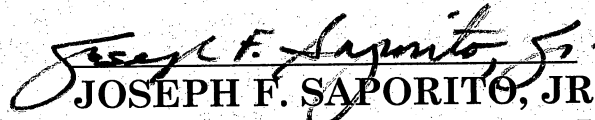
FILED  
WILKES BARRE  
OCT 27 2020  
PER MS  
DEPUTY CLERK

AND NOW, this 27<sup>th</sup> day of October, 2020, pursuant to the Due Process Protections Act, **IT IS HEREBY ORDERED THAT:**

1. The Court confirms the United States' obligation to produce all exculpatory evidence to the defendant pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and orders it to do so.

2. Under *Brady*, the prosecutor must produce material evidence in its possession, custody, or control favorable to the accused, which includes both exculpatory evidence and information which may impeach government witnesses when that evidence is material either to guilt or punishment.

3. Failing to produce the material in a timely manner may result in consequences, including, but not limited to, exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, or sanctions by the Court.

  
**JOSEPH F. SAPORITO, JR.**  
**United States Magistrate Judge**